

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X **Docket#**  
UNITED STATES OF AMERICA, : 15-cr-00348-ERK-VMS-1  
: :  
: :  
- versus - : U.S. Courthouse  
: Brooklyn, New York  
: :  
JOVAN RENDON-REYES, : September 10, 2019  
Defendant : 1:52 PM  
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TRANSCRIPT OF CRIMINAL CAUSE FOR SENTENCING  
BEFORE THE HONORABLE EDWARD R. KORMAN  
UNITED STATES MAGISTRATE JUDGE

**A P P E A R A N C E S:**

**For the Government:**

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1 THE CLERK: United States v. Jovan Rendon-  
2 Reyes.

3 THE COURT: No, they have to be here.

4 THE CLERK: They're here.

5 THE COURT: Oh, they're here, okay.

6 THE CLERK: Is he okay there, or you would like  
7 him here?

8 MR. LIND: Do you want to come up, or -- you're  
9 okay there, right?

10 THE COURT: Have him come up. Let's --

11 MR. LIND: Okay.

12 THE COURT: -- let's not --

13 THE CLERK: Jovan Rendon-Reyes.

14 Your appearances, counsel.

15 MR. LIND: Good afternoon --

16 MS. LEE: Good afternoon --

17 MR. LIND: -- oh, I am sorry. Go ahead.

18 MS. LEE: For the United States, Maggie Lee.

19 Good afternoon, your Honor.

20 MR. LIND: Good afternoon, Judge.

21 Richard Lind for Jovan Rendon-Reyes.

22 THE COURT: Okay. I think under the statute, I  
23 could have sentenced them without the defendants being  
24 present, but I did sentence them -- impose restitution  
25 without them being present, if I had done it within like

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1 42 or 45 days.

2 THE CLERK: 45 days, Judge.

3 THE COURT: But because of the government, I  
4 couldn't do it.

5 MS. LEE: I strongly disagree.

6 THE COURT: And so I have to do it in person.  
7 And I have already notified the defendant and his  
8 attorney of what my -- the amount that I intend to  
9 impose.

10 So as to -- I impose a period of -- a  
11 restitution in the amount of \$237,300 to be paid at ten  
12 percent of the defendant's net income after his release  
13 from prison. Thank you. Unless you --

14 MR. LIND: Unless, I -- yes, Judge, I have  
15 spoken to my client, and he intends to prosecute an  
16 appeal. He also wants a new attorney for that appeal. I  
17 would like him to just state that for the record.

18 THE COURT: Okay. Well, you will file a notice  
19 of appeal.

20 MR. LIND: Yes, I will file a notice of appeal,  
21 Judge, but I am talking about he wants another attorney  
22 to prosecute it.

23 THE COURT: I know, but in the meantime you'll  
24 file the notice of appeal.

25 MR. LIND: Yes, I will. I think I may have

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1 filed a notice of appeal.

2 MS. LEE: I don't think you have.

3 THE CLERK: A number of counsel have already,  
4 Judge.

5 THE COURT: Double-check because I don't want  
6 this to -- you know, when --

7 MS. LEE: I believe that only Felix Rojas has  
8 filed the actual notice of appeal because the judgment  
9 hasn't been issued yet, and the judgment had to be issued  
10 before he could file a notice of appeal.

11 THE COURT: Okay.

12 THE CLERK: I think a number of them have been  
13 filed by transcript, so we'll straighten it out.

14 MR. LIND: Okay.

15 THE COURT: If it's not on file, you will file  
16 it.

17 THE COURT: After you file the notice of  
18 appeal, I'll relieve you.

19 MR. LIND: I'm sorry, what Judge?

20 THE COURT: I say after you file a notice of  
21 appeal, I will relieve you.

22 MR. LIND: Okay, fine. Well, just in case it's  
23 up in the Circuit, once you file a notice of appeal, and  
24 it's accepted by the -- I guess the Circuit, then I don't  
25 know if you have jurisdiction to relieve me. Maybe you

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1 do, Judge. You would know better than I.

2 THE COURT: In any event, we'll take --

3 THE CLERK: We can get the order in before the  
4 record is (indiscernible).

5 MR. LIND: All right, fine. All right. Thank  
6 you, Judge.

7 THE COURT: Okay, thank you.

8 (Matter Concluded)

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C E R T I F I C A T E

I, LINDA FERRARA, hereby certify that the foregoing transcript of the said proceedings is a true and accurate transcript from the electronic sound-recording of the proceedings reduced to typewriting in the above-entitled matter.

I FURTHER CERTIFY that I am not a relative or employee or attorney or counsel of any of the parties, nor a relative or employee of such attorney or counsel, or financially interested directly or indirectly in this action.

IN WITNESS WHEREOF, I hereunto set my hand this 10th day of March, 2020.

  
Linda Ferrara

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